

Practitioner's Docket No.

۵	44.	n	Λ1	1	3	•
	44.	-1.2	1)		- 3	

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Karczewicz et al.

Application No.: 10/797,467

Group No.: 2631

Filed: March 9, 2004

Examiner: to be assigned

For: METHOD AND SYSTEM FOR SCALABLE BINARIZATION OF VIDEO DATA

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS - NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

NOTE:

If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

☑ A copy of the Notice to File Missing Parts of Application – Filing Date Granted (Form PTO-1533) is enclosed.

NOTE:

The PTO requires that a copy of Form PTO-1533 be returned with the response to the notice to file missing parts to the application.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450.

FACSIMILE

□ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: 7.26.04

Cathy Sturmer

(type or print name of person certifying)

DECLARATION OR OATH

11. (X			aration or oath was filed. Enclosed is the original declaration or oath for lication.				
NOTE	: :	an 1.	If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 C.F.R. § 1.48(f)(1).					
				OR				
		☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.						
		NOTE:		For surcharge fee for filing declaration after filing date complete item VI(3) below.				
		N	OTE:	"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. § 1.63:				
				"(A) application number (consisting of the series code and the serial number, e.g., 08/123,456;				
				"(B) serial number and filing date;				
		"(C) attorney docke		"(C) attorney docket number which was on the specification as filed;				
				"(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or				
				"(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."				
				M.P.E.P. § 601.01(a) 7 th Ed.				
		NOTE:		Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. § 1.10(c).				
				(complete (c) or (d), if applicable)				
Attac	che	ed i	s a					
(c)) [Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.						
(d)) [ment that the "attached" specification is a copy of the specification and any dments thereto that were filed in the PTO to obtain the filing date.				
				AMENDMENT CANCELLING CLAIMS				
111.)	Canc	el claims inclusive.				

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

IV.		Submitted herewith is an English translation of the non- papers as originally filed. Also submitted herewith is a the accuracy of the translation. It is requested that th copy for examination purposes in the PTO.	statement by the translator of
NOTE	: F	or fee processing a non-English application, complete item VI(5) below.	
NOTE		non-English oath or declaration in the form provided by the PTO r 69(b).	need not be translated. 37 C.F.R. §
		SMALL ENTITY STATUS	
V.		A statement that this filing is by a small entity	
		(check and complete applicable items)
		□ is attached.	
		☐ A separate refund request accompanies this par	oer.
		□ was filed on (original).	
		COMPLETION FEES	
VI.			
WA	RNIN	G: Failure to submit the surcharge fees where required will cause the 37 C.F.R. § 1.53.	e application to become abandoned.
NO	TE:	For effect on fees of failure to establish status, or change status, as a	small entity, see 37 C.F.R. § 1.28(a).
1.	Fili	ng fee	
	X	original patent application (37 C.F.R. § 1.16(a) - \$770.00; small entity - \$370.00)	\$
		design application (37 C.F.R. § 1.16(f) - \$330.00; small entity - \$165.00)	\$
			\$
2.	2. Fees for claims		
		each independent claim in excess of 3 (37 C.F.R. § 1.16(b) - \$86.00; small entity - \$42.00)	\$
	X	each claim in excess of 20 (37 C.F.R. § 1.16(c) - \$18.00; small entity - \$9.00)	\$54.00
		multiple dependent claim(s) (37 C.F.R. § 1.16(d) - \$280.00; small entity - \$140.00)	\$

3.	Sur	charge Fees				
	X	late payment of filing (1.16(e) - \$130.00);	fee and/or late filin	g of original decla	ration or oath	(37 C.F.R. § 130.00
NOTE		ven where a facsimile declar urcharge fee is required.	ration or oath signed by	the inventor(s) was p	part of the original	lly filed papers, the
NOTE	С	both the filing fee and decla F.R. § 1.16(e) is that only one filing fee are submitted aft	ne surcharge Fee need	be paid whether the	later filed oath or	
4.		Petition and fee for inventors or a person (37 C.F.R. §§ 1.17(i) a	not the inventor		\$	
		Fee for processing specification in a non-(37 C.F.R. §§ 1.17(k)	English language		\$	
		Fee for processing an (37 C.F.R. §§ 1.21(I) a	• •		\$	
	X	Assignment (See "AS	SIGNMENT COVE	R SHEET".)	\$	40.00
NOTE	OTE: 37 C.F.R. § 1.21(I) establishes a fee for processing and retaining any application which is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as the changes to 37 C.F.R. §§ 1.53 and 1.78, indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee or the processing and retention fee of § 1.21(I) within 1 year of notification under § 1.53(f) must be paid.					
			Total completion f	ees	\$	994.00
VII.			EXTENSION	OF TIME		
		(0	complete (a) or (b),	as applicable)		
		oceedings herein are fo apply.	or a patent applicat	ion, and the provi	sions of 37 C	F.R. §
(a)		Applicant petitions for § 1.17(a)(1)-(4), for th				ut in 37 C.F.R.
		ension onths)	Fee for other than small entity		Fee for small entity	
	two thre	e month months ee months r months	\$ 110.00 \$ 400.00 \$ 920.00 \$1,440.00		\$ 55.00 \$ 200.00 \$ 460.00 \$ 720.00	
				Fee: \$_		

If an additional extension of time is required, please consider this a petition therefor.

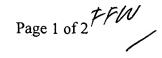
(Completion of Filing Requirements – Nonprovisional Application [5-1] – page 4 of 6)

		(check and complete the next item, if applicable)				
		An extension for months has already been secured, and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.				
		Extension fee due with this request \$				
		or				
(b)	X	Applicant believes that no extension of term is required. However, this condition petition is being made to provide for the possibility that applicant has inadverted overlooked the need for a petition and fee for extension of time.				
		TOTAL FEE DUE				
VIII.	The	ne total fee due is				
		Completion fee(s) \$ 994.00				
		Extension fee (if any) \$				
		Total Fee Due \$994.00_				
		PAYMENT OF FEES				
IX.	X	Enclosed is a check in the amount of \$994.00_				
		Charge Account No in the amount of \$ A duplicate of this request is attached.				
NO	TE:	Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).				
		ase charge Account No for any fees that may be due by this per.				
		AUTHORIZATION TO CHARGE ADDITIONAL FEES				
X. WA	RNIN	IG: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges i extra claims are authorized.				
NO	TE:	"Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).				
	X	The Commissioner is hereby authorized to charge the following additional fees th may be required by this paper and during the pendency of this application to Accou No. <u>23-0442</u> .				
		☐ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)				
NO	TE.	Passure additional food for every or multiple dependent claims not paid on filing or an later amountations				

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

(Completion of Filing Requirements – Nonprovisional Application [5-1] – page 5 of 6)

	37 C.F.R. § 1.16(e) (surcharge for filing date later than the filing date of the app	g the basic filing fee and/or declaration on a plication)		
	37 C.F.R. § 1.17(a)(1)-(5) (extension for	ees pursuant to § 1.136(a))		
	37 C.F.R. § 1.17 (application processing	ng fees)		
NOTE:	"A written request may be submitted in an application that is an authorization to treat any concurrent of tuture reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).			
	37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))			
NOTE:	Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).			
NOTE:	E: 37 C.F.R. § 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the applicationprior to paying, or at the time of payingissue fee" From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.			
		SIGNATURE OF PRACTITIONER		
Reg. No.	40,061	Kenneth Q. Lao (type or print name of practitioner)		
Tel. No.:	(203) 261-1234	WARE, FRESSOLA, VAN DER SLUYS & ADOLPHSON LLP Bradford Green, Bldg. Five		
Custome	r No. 04955	755 Main St., P.O. Box 224 <u>Monroe, CT 06468</u>		





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER FILING OR 371 (c) DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER 10/797,467 03/09/2004 Marta Karczewicz 944-001.130

CONFIRMATION NO. 3309

004955 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468 FORMALITIES LETTER

OC000000012782525

Date Mailed: 05/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 HLE333

00000073 10797467

01 FC:1001 770.00 OP 02 FC:1202 54.00 OP 03 FC:1051 130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.

 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

Additional claim fees of \$54 as a non-small entity, including any required multiple dependent claim fee, are
required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$954 for a Large Entity

\$770 Statutory basic filing fee.

- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$54
 - \$54 for 3 total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE